MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.793 OF 1989

M/s.Svaraj Trading & Agencies Limited ... Plaintiffs

versus

M/s.S.S.Industries and others ... Defendants

Mr.C.D.Patel i/by B.K. & Girdharlal for plaintiffs.

CORAM : A.M.KHANWILKAR, J.

DATE : 03rd September 2007

PC :

1. This suit was listed on 22nd August 2007 pursuant to the order dated 26th July 2007 when none appeared for the parties. By way of indulgence suit was ordered to be placed today under caption "for dismissal".

2. Today, Mr.C.D.Patel appearing for plaintiffs states that the office of the advocate on record of the plaintiffs is closed on account of death of one of the partners. That, however, does not mean that the advocate who is appearing before

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the Court on instructions, should not co-operate with the Court for framing of issues. Moreso, in spite of indulgence shown on 22nd August 2007.

3. Today the advocate appearing for the plaintiff in spite of opportunity given to him, does not want to hand over the draft issues and instead expresses his inability to do so. Hence, dismissed for non prosecution.

(A.M.KHANWILKAR, J.)